

Whistleblowing policy

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1. Introduction

1.1 Leeds City Council is committed to the highest standards of openness, probity, and accountability. In line with that commitment, we encourage council employees and workers (For the definition of a worker see [Employment status: Worker \(GOV.UK\)](#)) who have legitimate concerns about any aspect of the council's work, to come forward and voice those concerns through accessible channels rather than overlooking the issues or discussing them externally. Making your disclosure under this policy will enable the council to address any concerns and risks as early as possible.

1.2 As an employee or worker of the council, you are often the first to realise that there could be something seriously wrong with the way we are operating. This policy sets out the arrangements that enable you to raise concerns without the fear of adverse consequences.

1.3 The council recognises that you may wish to raise your concern confidentially and in such cases the council will make every effort to protect your identity.

2. Aims and scope of the policy

2.1 This policy applies to council employees and workers who wish to raise concerns relating to matters set out at 3.5 of the policy (Categories of Wrongdoing) and are in the public interest. Further details about protected disclosures can be found at section 3 of this policy.

2.2 The Public Interest Disclosure Act 1998 (PIDA) is the law that protects whistleblowers from negative treatment at work or dismissal for raising their concerns. This applies to both employees and workers, including permanent and temporary employees, casual staff, apprentices and agency staff.

2.3 Protection under PIDA does not extend to disclosures made by employees of external organisations, volunteers, job applicants, members of the public or elected members.

2.4 This policy has a specific section detailing the process that schools based staff should follow when raising concerns (section 5.8).

2.5 The aim of this policy is to:

- encourage reports of suspected wrongdoing or malpractice within the council as soon as possible, in the knowledge that concerns will be taken seriously and investigated as appropriate
- set out the safeguards you can expect when raising concerns under this policy
- reassure council employees and workers that reprisals or victimisation for whistleblowing in the public interest will not be tolerated even if you turn out to be mistaken
- demonstrate the council's zero tolerance commitment to tackling fraud and corruption
- demonstrate the council's commitment to treat all disclosures consistently and fairly

2.6 This policy does not form part of a contract of employment. It is regularly reviewed and may be amended from time to time.

3. Whistleblowing and protected disclosures

3.1 Whistleblowing is the confidential disclosure of specific information by council employees and workers relating to wrongdoing, risk or malpractice at the council, that affects others.

3.2 For council employees and workers, to be covered by the Public Interest Disclosure Act 1998 (PIDA) you must reasonably believe the disclosure shows a category of wrongdoing set out in law (listed below) has or is likely to occur, is in the public interest, and is raised in the correct way as set out in this policy.

3.3 Whistleblowing law is designed to protect whistleblowers from detrimental treatment or victimisation from their employers after they have made a protected disclosure.

3.5 Categories of wrongdoing are:

- a criminal offence has been committed, is being committed or is likely to be committed, for example fraud, bribery, corruption, theft
- failure to comply, is failing, or is likely to fail to comply with a legal obligation. For example, not protecting personal data as required by the Data Protection Act 2018, a breach of contractual obligations, or other relevant legislation or statutory requirement
- a miscarriage of justice has occurred, is occurring or is likely to occur
- the health and safety of any individual has been, is being or is likely to be endangered
- the environment has been, is being or is likely to be damaged. This relates to the surroundings in which a person, animal or plant lives or operates. Examples might include pollution and loss of biodiversity
- information relating to any of the above have been, are being or are likely to be deliberately concealed

3.6 The Whistleblowing policy is intended to cover the disclosure of information relating to the concerns above, that fall outside the scope of other procedures, and which involve an issue in the public interest. The council reserves the right to determine which procedure is appropriate. Concerns relating solely to the way you are being treated at work and affect only you and your employment do not fall under the remit of the Whistleblowing policy. In these instances, you should seek advice from HR or your trade union representative on raising this correctly.

3.7 A confidentiality clause in a settlement agreement does not prevent a worker from making a disclosure in the public interest.

3.8 If your concern relates to the conduct of an elected member, safeguarding or other issues including, a complaint about the standard of service received or regarding a member of staff, tenancy fraud, benefit fraud, blue badge misuse, council tax, then there are specific procedures and policies in place to address these. Details on how to make a referral can be found at [Appendix C](#).

4. Safeguards

Confidentiality

4.1 The council will take all reasonable steps to keep the identity of the whistleblower confidential unless there is a legal requirement to disclose it.

Protection from reprisal

4.2 The council recognises that as a council employee or worker, the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the wrongdoing. The council will not tolerate harassment or victimisation and will take action to protect you when you raise a concern which you reasonably believe to be true. This may include disciplinary action against those that subject an individual to detriment as a result of a whistleblowing referral.

4.3 If you are already the subject of procedures such as disciplinary, improving performance, grievance or improving attendance, these will not be halted as a result of your whistleblowing referral.

4.4 If at any time, either during or after the investigation, you feel that you have suffered any detriment as a result of your whistleblowing referral you should contact Internal Audit. Details will be considered and where action is required this will be led by HR and will be conducted in accordance with the Disciplinary policy.

Anonymous disclosures

4.5 Concerns can be raised anonymously and will be considered wherever possible at the discretion of the council. However, it may be more difficult or even impossible to investigate them properly if further information cannot be obtained from you, nor does it provide the opportunity to offer relevant protections or feedback. This policy encourages you to provide your name and contact details when reporting your concern.

4.6 If you are unsure about raising a concern you can get independent advice from Protect, the UK's whistleblowing charity (see contact details under Independent Advice at 5.5).

Untrue allegations

4.7 If you make an allegation which is either malicious and/or false, and/or one which you could not have reasonably believed to be true, then this may be considered an abuse of the Whistleblowing policy and disciplinary action may be taken against you.

5. How concerns can be raised

5.1 Remember that you do not need to have evidence of your concern before raising a concern. However, we do ask that you explain as fully as you can the information or circumstances that gave rise to your concern.

5.2 Whistleblowing concerns can be raised with your line manager or a senior manager within your service. You can raise your concern initially in person, by telephone or in

writing. The manager should consider any information you provide in line with the requirements of this policy. Managers should refer to section 6, and can refer to [Appendix B](#) for further guidance.

5.3 If you would prefer to report your concerns directly to Internal Audit, then a referral can be made as follows:

Email	concerns@leeds.gov.uk
Telephone	0113 378 8008 (dedicated phone number monitored by a member of the Internal Audit team or an answerphone)
In writing	Internal Audit, 3rd Floor West, Civic Hall, Leeds, LS1 1JF
Online (internal only)	When logged into the council network there is the option to complete a whistleblowing referral form via InSite

5.4 Refer to [Appendix C](#) for more details on how to report other issues, including details of the Freedom to Speak Up Guardian.

Independent advice

5.5 If you are unsure whether to raise your concerns under this policy, or if you wish to obtain independent advice at any time you may contact:

- your trade union
- Protect, the UK's whistleblowing charity confidential helpline on 0203 117 520
- your professional association

Contact details can be found at the end of this policy.

External contacts

5.6 The aim of this policy is to provide an internal mechanism for reporting any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate to report your concern to certain 'prescribed' people and bodies. It is strongly recommended that you seek advice before reporting a concern to anyone external. If you tell a prescribed person or body, it must be one that you reasonably believe deals with the issue you are raising. A list of prescribed people and bodies can be found on: [Whistleblowing list of prescribed people and bodies Gov.UK](#).

5.7 In order to raise your concern externally it still must be a protected disclosure which meets the criteria for protection as outlined in section 3 above. This means that you must have a reasonable belief that the information disclosed is substantially true, the disclosure is being made in the public interest and the matter falls within the remit of the prescribed person or body.

Whistleblowing by individuals employed in schools

5.8 Schools based staff are encouraged to raise concerns in accordance with the school's own Whistleblowing policy. In most cases concerns should be raised with their manager, the headteacher, or where concerns are about the headteacher, with the chair of governors. It is recognised that in some cases, the employee may not feel they are able to raise the concerns with the chair of governors at the school. In these instances, individuals employed in schools maintained by the council, where the council is the legal employer such as community schools, community special schools, voluntary controlled or maintained nursery schools and pupil referral units may report concerns to Leeds City Council who will respond in accordance with the Schools Whistleblowing policy.

5.9 Individuals employed in schools where the council is not the legal employer (such as Voluntary aided, Trust and Foundation schools) and who feel unable to raise concerns with the chair of governors should refer their concerns to the trust and/or the diocese where applicable, as set out in the Schools Whistleblowing policy.

6. How the council will respond

6.1 The council is committed to treating all concerns raised under the remit of this policy fairly and in accordance with a consistent set of principles. You can expect that your concerns will be listened to, and your details will be treated in confidence.

6.2 The council will respond to your concerns in accordance with the steps set out below. Managers in receipt of concerns should take account of these when determining the appropriate response. Further guidance for managers can be found at [Appendix B](#).

6.3 Preliminary enquiries will determine what action may be appropriate and if required, how the matter will be taken forward. This may be under the remit of the Whistleblowing policy, or signposting to other council policies and procedures where appropriate.

6.4 Where an initial assessment identifies that further investigation is required this will include determining who is best placed to complete this considering any skills, knowledge and areas of expertise felt to be necessary.

6.5 The matters raised may:

- be investigated internally (this is the most likely option). In certain circumstances this investigation may be carried out by Internal Audit

- be referred to the external auditor
- form the subject of an independent inquiry; or
- any combination of the above

6.6 Where the allegation is of a criminal nature then a referral may be made to the Police following an assessment of the information provided.

6.7 Concerns that fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under the relevant procedures.

6.8 Within ten working days of a concern being received where practicable, you will be contacted to acknowledge receipt of your concern. Where feasible you will be advised on how the matter is to be addressed. If it is decided that further investigation is not to take place, then the reason for this decision will be provided to you.

6.9 The amount of contact between yourself and those considering the issues will vary depending on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. You may be contacted for further details during the investigation if you have provided your contact details.

6.10 When any meeting is arranged with you, you may, if you wish, be accompanied by a trade union or professional association representative, or a person who is not involved in the area of work to which the concern relates.

6.11 It is acknowledged that there is a need to provide you with assurance that the matter has been properly addressed. An effort will be made to keep you informed of the progress of the investigation and its likely timescale. You will receive confirmation upon conclusion of the investigation, this will include as much information as possible about the outcome. However, the need for confidentiality may prevent you being provided with specific details of the investigation, outcomes, or any action taken as a result. You should treat any information provided to you about the investigation as confidential.

7. Monitoring of whistleblowing referrals

7.1 Concerns reported to managers should be dealt with in accordance with this policy and feedback provided upon conclusion of the investigation where applicable. Further guidance for managers is included at [Appendix B](#).

7.2 All referrals relating to fraud and corruption received by managers must be notified to Internal Audit upon their receipt so the information can be risk assessed to determine the most appropriate investigative route. Internal Audit will maintain a log of all whistleblowing concerns reported to them and the action taken.

7.3 Summarised outcomes of concerns raised to Internal Audit are reported in anonymised form to the Corporate Governance and Audit committee.

8. How the matter can be taken further

8.1 This policy is intended to provide you with an avenue to raise concerns within the council. The council hopes you will be satisfied with the way your concerns are handled and the response provided. If you are not, and if you feel it is right to take the matter further, the following are possible contact points.

The external auditor- Grant Thornton Leeds 0113 245 5514

Protect (independent charity that provides free confidential advice for employees on how best to raise your concerns and your protection as a whistleblower)

020 3117 2520 [Protect](#)

A prescribed person or body

[Whistleblowing list of prescribed people and bodies.](#)

Unison (Leeds)

Geoff Hogson House, 160b Woodhouse Lane,
Leeds, LS2 9EN, 0113 245
8442 branch@leedsunison.org.uk

GMB (Leeds)

Your trade union:

leeds.office@gmb.org.uk
01924 887 252

Unite The Union

Civic Hall, Calverley Street, Leeds City Council,
LS1 1UR
unitetheunion@leeds.gov.uk
0113 236 4830

8.2 Further contact points:

The Advisory, Conciliation and Arbitration Service (ACAS)

[ACAS](#)

Citizens Advice

[Citizens Advice](#)

9. Concerns received by others

9.1 If a concern is received about potential wrongdoing (as set out in this policy) within the council, by someone external (and not covered in 2.2), reasonable steps will be taken to assess the information and investigate where appropriate. If contact details are provided, the concern will be acknowledged and an update on the progress provided. Upon conclusion, the council will confirm this and provide as much information as possible about the outcome, whilst maintaining security of data and confidentiality. The protections set out in this policy may not apply to this category of complainant.

10. Appendix A

How to raise a concern (Do's and Don'ts)

Do not ignore the concern

It is important that you feel comfortable in raising legitimate concerns in the public interest, as this provides the council with an opportunity to address the associated issues as early as possible.

Do report your suspicions in line with this policy

to your line management, the relevant service management, or to Internal Audit using the contact details provided in this policy. The decision on to whom to report your suspicions will depend on the seriousness and sensitivity of the issues concerned, and who is thought to be involved in the wrongdoing. For example, if you believe that management is involved then Internal Audit can give advice and guidance on how the matter can be pursued.

Do make an immediate note of your concerns and deal with the matter promptly

The earlier you express the concern, the easier it is to take action. Over time these details can be forgotten, or remembered incorrectly, which can make a concern more difficult to investigate and so it would help us if you make a note of your concerns at the time and let us know about them as soon as possible.

You will need to demonstrate that there are sufficient grounds for your concern. It would be useful to provide relevant information including, where possible, but not limited to;

- the background and history to the case;
- the reason why you are particularly concerned;
- any specific details available including names, dates, times and places;
- details of any particular conversations that support the concerns;

- details any personal interest that you may have in the matter; and
- how you think that things may be put right, if possible.

Do not be afraid of raising your concerns, and if a manager, Do be responsive to staff concerns

We want to encourage people to voice any reasonably held suspicions to help us develop a culture of openness, honesty and accountability. All concerns should be treated sensitively and seriously and be subject to the necessary investigation and follow up communication where possible. If you are a manager receiving a concern you also need to make sure you send details of all referrals to Internal Audit for monitoring and action.

Do not approach or accuse any individuals directly or tell anyone about your suspicions other than those with the proper authority

If a concern is discussed with someone directly involved, then it creates an opportunity for evidence to be tampered with or removed.

Concerns should not be discussed with others who are not involved in an appropriately structured investigation. Doing so may leave you open to accusations of making slanderous or libellous comments should your concerns be unfounded, as these could damage the reputation of individuals and the council even if there is no evidence of any wrongdoing.

Do not try to investigate the matter yourself

There are special rules surrounding the gathering of evidence. Any attempt to gather evidence by people who are unfamiliar with these rules may adversely affect the outcome of the investigation as evidence has to be collected in accordance with current legislation. This is of particular importance with regard to surveillance. If you are at all unsure about the gathering of evidence, you should contact Internal Audit for advice.

All referrals made will be treated in the strictest of confidence and you may invite your trade union or professional association to raise a matter on your behalf.

11. Appendix B

Managers guide to dealing with a matter raised under the Whistleblowing policy

Do not ignore the concern

It is important that staff feel comfortable in raising legitimate concerns in the public interest, as this provides the council with an opportunity to address the associated issues as early as possible.

Do listen

It is important that full details of the concerns raised to you are captured and understood so that the information can be assessed to determine the most appropriate course of action. Always bear in mind that staff may wish to be accompanied by a trade union, a professional association representative or a person who is not involved in the area of work to which the concern relates.

Do treat the source of the concern in confidence

Staff need to have confidence that when raising a concern, they can do so without fear of reprisal. Personal details of the person raising the concern should not be shared wider unless they have provided their consent. The exception to this is if there is a legal requirement to disclose it.

Do assess the information

It is important that an initial assessment of the information received is undertaken. This will help to ensure that you are able to apply the correct approach from the outset, including the determination of any other policy that may apply. Some things to consider:

- does the information being reported meet one of the protected disclosures set out in the Whistleblowing policy at 3.5, and is the matter in the public interest? As a general rule of thumb this covers issues witnessed by the individual that also affect others. Concerns relating solely to the way an individual is being treated at work do not fall under the remit of the Whistleblowing policy
- in certain roles or functions there may be a statutory duty to report certain concerns through a specific route, for example, safeguarding. The Whistleblowing policy does not replace these procedures which must be followed where appropriate
- does the information being reported provide sufficient detail regarding the concern to enable further action to be initiated?
- where the allegation is of a criminal nature you should consider the need to refer the matter to the police. If you require any advice around this, you should contact HR or Internal Audit. Any allegations around suspected fraud and corruption must be referred to Internal Audit

Do acknowledge receipt of the concern

Some concerns may be raised in direct discussion with the staff member, in which case, the acknowledgment of receipt will have already naturally taken place. If a concern is raised by another means, then, within ten working days where practicable, you should ensure you have contacted the staff member to acknowledge receipt of their concern. Regardless of how the concern is raised, following your initial assessment,

where feasible you should seek to advise the individual on how the matter is to be addressed. If it is decided that further investigation is not to take place, an explanation of the reason for this decision should be provided.

Do monitor progress and provide feedback

It is important for staff to know that their concerns have been listened to and addressed. Even if the outcome is not what they are expecting, a suitable level of feedback should be provided to ensure the staff member is aware that the matter has been concluded. You should be mindful of the level of detail provided regarding the conclusion based on confidentiality.

Do seek advice where required

Managers should escalate via their own management chain or seek advice from HR where required. Internal Audit can also be contacted for advice.

If the concern relates to suspected fraud or corruption, contact Internal Audit.

Appendix C

Other contacts

If your concern is regarding the following, see the contact details below:

Freedom to Speak Up - employees can speak up about anything that is getting in the way of them doing their job

This includes feeling they or others are not being treated fairly, the quality of service that we provide to our customers is falling short, feeling as though the council are not acting in accordance with our values.

Vanessa Wenham, [Freedom to Speak Up Guardian](#) (link provided is for internal use).

Email: vanessa.wenham@leeds.gov.uk.

Phone: 0113 3789376.

Mobile: 07891 276860.

A complaint about the standard of service received or regarding a member of staff (including people who volunteer on our behalf)

See the [Compliments and complaints policy](#).

Email: complaints@leeds.gov.uk.

Phone: 0113 222 4405.

The conduct of an elected Member

If you believe that a Member has broken the Members Code of Conduct, you can make a complaint to councillorconduct@leeds.gov.uk.

The safeguarding of children and young people

To report a concern if you work with children or young people, call the Duty and Advice team on 0113 376 0336 (Monday to Friday 9am to 5pm, except Wednesday when open at 10am) or the Children's Emergency Duty Team on 0113 535 0600 if outside of office hours.

Members of the public should report concerns on 0113 222 4403 (Monday to Friday 9am to 5pm, except Wednesday when open at 10am). If you think a child is in immediate danger, call the police on 999.

Further details can be found at [Report a child protection concern](#).

The safeguarding of vulnerable adults

Call 0113 222 4401 during office hours and 0113 378 0644 outside of office hours.

Email: leedsadult@leeds.gov.uk.

Further details can be found at [Report neglect or abuse of an adult](#).

Suspected benefit fraud

Report this to the DWP.

[Report benefit fraud - DWP](#).

Telephone – 0800 854 440.

Textphone – 0800 328 0512 (Monday to Friday 8am to 6pm).

Write – NBFH, PO Box 224, Preston, PR1 1GP.

Suspected housing fraud

Call 0800 188 4000.

Email: tenancyfraud@leeds.gov.uk.

Further details can be found at [Report housing fraud](#).

Blue badge misuse

Call 0113 222 44 44 (Weekdays, 9am to 5pm, except Wednesdays when we're open from 10am).

Email: bluebadge@leeds.gov.uk.

Further details can be found at [Report a lost, stolen or misused Blue Badge](#).

Council tax

Call 0113 222 44 44 (Weekdays, 9am to 5pm, except Wednesdays when we're open from 10am).

Workplace disputes

Contact the Advisory, Conciliation and Arbitration Service (ACAS) for help and advice.

[ACAS](#).

Call 0300 123 1100.